

## **Facilitated Stakeholder Meetings for the Delta Methylmercury TMDL and Basin Plan Amendments**

### **Constraints**

#### **What are the bounds of the Delta Mercury Control Program?**

1. The Delta Mercury Control Program must be considered by the Central Valley Water Board by October 2009. The stakeholder process for the first part of the control program must be complete by May 2009.
2. The Delta Mercury Control Program must comply with the Clean Water Act and Porter Cologne and be approvable by the State Water Board and USEPA.
3. The Delta Mercury Control Program must include:
  - Fish Tissue Objectives
    - Methylmercury load and waste load allocations and a margin of safety to meet FTOs, or
    - Other scientifically defensible allocations to meet FTOs and assimilative capacity
  - Implementation Plan framework with time schedule
4. The fish tissue objectives must protect both human health and threatened and endangered wildlife.
5. The Delta Mercury Control Program must include inorganic mercury load reductions to meet requirements established by the San Francisco Bay Water Board.
6. The Delta Mercury Control Program must include interim limits and a compliance schedule for NPDES facilities that are consistent with State Water Board Policy for Compliance Schedules for NPDES Permits.
7. The long-term Delta Mercury Control Program must include inorganic mercury (Hg) and methylmercury (MeHg) reduction activities. The Implementation Plan Framework must include both Hg and MeHg reduction evaluations.
8. The Delta Mercury Control Program must include:
  - Near-term actions to begin to reduce levels of MeHg and Hg, and
  - Measures to reduce the risk to people who are eating contaminated Delta fish.
9. The Delta Mercury Control Program must have a 2030 compliance date for meeting allocations.